IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

ARBITRATION PETITION NO. 137 OF 2006

Manish S. Mehta ...Petitioner

vs.

M/s. Crescent Developers ....Respondents.

Mr. Shyam Diwan a/w. Jaiwant S. Chandnani
for the petitioner.
Mr. R.M. Vasudeo for respondent no.1.
Mr. D.V. Merchant i/by. L.C Tolat & Co.
for respondent no.9.

CORAM: S.J. VAZIFDAR, J.

DATE : 12TH JUNE, 2006.

P.C. :

1. There is an arbitration agreement in the

partnership deed inrespect of Respondent no.1 firm. The arbitration proceedings have already commenced inrespect of the disputes between the partners and the respondent no.1 firm.

2. The partner alleges to be a purchaser of a flat which belongs to Respondent no.1. The validity of this agreement is disputed by respondent no.9. The agreement also contains an arbitration clause.

3. At this stage it is not necessary to stall the arbitration proceedings which have already commenced as aforesaid.

4. However, the parties shall maintain status-quo inrespect of those flat which is referred to in prayer clause (d) of the petition pending the making of the award in the arbitration which has already commenced and for a period of 12 weeks after a copy of the award, if any, is served on the petitioner. Liberty to the petitioner to apply for extension of this

order by adopting appropriate proceedings, if necessary, thereafter. The petition is accordingly disposed of.

sd/-

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